

# State of South Dakota

EIGHTY-SEVENTH SESSION  
LEGISLATIVE ASSEMBLY, 2012

400T0498

## SENATE APPROPRIATIONS ENGROSSED NO. **SB 193** - 2/10/2012

Introduced by: The Committee on Appropriations at the request of the Office of the Governor

1 FOR AN ACT ENTITLED, An Act to revise the General Appropriations Act for fiscal year  
2 2012 and to declare an emergency.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. The funds in section 5 of this Act are provided for the purpose of making a one-  
5 time payment to active, permanent employees hired before March 24, 2011, not including the  
6 Governor, lieutenant governor, attorney general, secretary of state, state auditor, state treasurer,  
7 commissioner of school and public lands, or public utilities commissioners, for the purpose of  
8 encouraging public service and for continued service in the state government workforce. This  
9 payment will be made on March 30, 2012, and will be calculated as a percentage of the  
10 employees' annualized salary effective as of March 23, 2012. This percentage shall be five  
11 percent for an employee hired before March 24, 2009; three and four-tenths percent for an  
12 employee hired March 24, 2009 to March 23, 2010, inclusive; and one and seven-tenths percent  
13 for an employee hired March 24, 2010 to March 23, 2011, inclusive.

14 Section 2. For the purposes of this Act, annualized salary means an employee's hourly wage



times the number of hours in the fiscal year in which the payment is made times the percent of time the employee is regularly scheduled to work, or the employee's annual salary times the percent of time the employee is regularly scheduled to work. If a full-time employee's annual salary is less than forty-six thousand dollars, the calculation shall be based on forty-six thousand dollars times the percent of time the employee is regularly scheduled to work. If a full-time employee's annual salary is more than one hundred fifty thousand dollars, the calculation shall be based on one hundred fifty thousand dollars times the percent of time the employee is regularly scheduled to work.

Section 3. Any payment pursuant to this Act is not to be considered as part of the employee's base compensation or regular rate of pay, nor is the payment compensation for any past performance or future action.

Section 4. The amount necessary to fund the one-time payment to employees may be transferred to the appropriate budget units by the Bureau of Finance and Management. If there is not enough funding to provide the required payments to the workforce in place at the time of calculation, the bureau may reduce and prorate the amount of the one-time payments.

Section 5. That section 17 of chapter 23 of the 2011 Session Laws be amended to read as follows:

**BUREAU OF FINANCE AND MANAGEMENT**

(17) delete "State Government Energy Program" and insert "Employee Compensation"

Personal Services, General Funds, delete "\$0" and insert "\$12,296,256"

Personal Services, Federal Funds, delete "\$0" and insert "\$5,692,174"

Personal Services, Other Funds, delete "\$0" and insert "\$13,210,064"

Operating Expenses, General Funds, delete "\$0" and insert "\$193,023"

Adjust all totals accordingly.

1       Section 6. The commissioner of the Bureau of Finance and Management shall approve  
2       vouchers and the state auditor shall draw warrants to pay expenditures authorized by this Act.

3       Section 7. Whereas, this Act is necessary for the support of the state government and its  
4       existing public institutions, an emergency is hereby declared to exist, and this Act shall be in  
5       full force and effect from and after its passage and approval.